

COUNTY OF YORK

EMORANDUM

DATE: February 5, 2001 (BOS Mtg. 2/20/01)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. UP-566-01, King's Creek Plantation, L.L.C.

ISSUE

This application is a request to amend an existing use permit to allow the construction of a "lodge style" structure housing 90 two-bedroom timeshare units (3 five-story interconnected pods of 30 units each) as part of a previously approved 1,100 unit timeshare development. The property is located along Route 199 across from its intersection with Penniman Road. No change to the overall number of timeshare units (1,100) is proposed. The proposal is an amendment to the previously approved conceptual/development plan, which depicted single-family detached and attached style units, and seeks approval in accordance with Section 24.1-115(d) of the York County Zoning Ordinance. The property is further identified as Assessor's Parcel No. 11-(22)-1A.

DESCRIPTION

Property Owner: King's Creek Plantation, L.L.C.

Location: Route 199 across from its intersection with Penniman Road

Area: 150.6 acres

Frontage: Approximately 1,200 feet on Route 199

Utilities: Sanitary sewer and public water available

Topography: Moderate and steep slopes are present throughout the site

2015 Land Use Map Designation: Economic Opportunity

Zoning Classification: Economic Opportunity

Existing Development: King's Creek Plantation timeshare resort, Phase 1 (under construction)

Surrounding Development:

- North: Various light industrial uses, Cheatham Annex, and a single-family detached home across Route 199 and Penniman Road
- East: King's Creek Plantation timeshare resort, Phase 1 (under construction)
- South: King's Creek Plantation timeshare resort, Phase 1 (under construction)
- West: Water Country USA

Proposed Development: A lodge-style structure housing 90 two-bedroom timeshare units (3 five-story interconnected pods of 30 units each)

CONSIDERATIONS/CONCLUSIONS

1. The applicant is requesting an amendment to a previously approved use permit to allow the construction of a “lodge style” structure housing 90 two-bedroom timeshare units (3 five-story interconnected pods of 30 units each) in King’s Creek Plantation timeshare resort. The changes proposed as part of this application are considered major amendments to the originally approved plan. Section 24.1-115(d)(3) of the Zoning Ordinance requires that major amendments to a previously approved use permit be approved in the same manner and under the same procedures as are applicable to the issuance of the original permit. The Comprehensive Plan designates this area for Economic Opportunity uses.
2. On December 17, 1997, the Board of Supervisors approved an application (ZM-24-97) to rezone 147.3 acres along the Route 199 corridor to Conditional EO (Economic Opportunity) and an application for a special use permit (UP-524-97) to authorize the establishment of an 1,100-unit timeshare resort, known as King's Creek Plantation, on this property. Phase 1, section five of this project is underway and approximately 200 single family cottage units, both attached and detached, have been completed. Subsequently, in 1998, the Board approved the reclassification an additional 3.3 acres, for a total project area of 150.6 acres. As part of these approvals, the applicant submitted a general design layout that depicted a mix of attached and detached single family cottage-style timeshare units that would be developed in a “village-type” atmosphere. In this application, the applicant’s proposal departs from the original design.
3. The applicant is proposing to amend the previously approved design layout by adding a “lodge style” complex to the back interior of the development (see attached plan). The lodge would consist of three interconnected five-story structures with 90 two-bedroom timeshare units with below-building parking facilities. According to the applicant, this parking arrangement is considered to be very desirable for elderly and handicapped owners, especially during inclement weather. The lodge concept offers prospective purchasers a variation in accommodations within the mix of timeshare units. The three lodge buildings will be architecturally compatible in theme and character with the rest of the timeshare development. Most importantly, the addition of the lodge will be offset by a commensurate reduction in the number of single-family detached and duplex units and therefore will not increase the number of approved timeshare units in the development. Subsequent phases of the development will continue to be characterized by the single family “cottage-style” concept. Ultimately, over 90 percent of the total number of timeshare units in the development will be constructed in the single-family manner.
4. The proposed siting of the lodge is in a location that may be visible from only one adjacent property, Water Country USA. However, a lake and a 125-foot vegetated buffer lie between Water Country USA and the King’s Creek Plantation property line. The buffer and the lake are expected to remain in perpetuity. Therefore, it is highly

unlikely that Water Country USA, even when foliage is not present, will have views of the site.

5. The height of the lodge buildings is expected to be five stories with at least one underground parking level. A typical five-story structure is approximately 50 feet in height. The maximum height for all structures in the Economic Opportunity zoning district is 75 feet. The applicant has stated that the lodge buildings may surpass 50 feet in height but will be well under the district's height limitation.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its January 10, 2001 meeting and, subsequent to conducting a public hearing, voted 6:0 (Simasek absent) to recommend approval. No one spoke against the application.

COUNTY ADMINISTRATOR RECOMMENDATION

I believe that the proposal to amend the design layout will not detract from the overall timeshare cottage theme that the Board originally approved in 1997. Because of the lodge's interior location, I expect no measurable impacts on the character of the development or its adjacent properties. The lodge will be, for all intents and purposes, invisible from surrounding properties. Moreover, since there is no increase in the number of timeshare units, there are no additional peripheral impacts. Therefore, I recommend that the Board approve this application subject to the conditions set forth in the proposed Resolution R01-22.

Cross/3496

Attachments

- Excerpts from Planning Commission minutes, 1/10/01
- Zoning Map
- Vicinity Map
- Conceptual Plan
- Proposed Resolution R01-22